

The House Committee on Game, Fish and Parks offers the following substitute to SB 72:

A BILL TO BE ENTITLED  
AN ACT

To amend Chapter 1 of Title 27 of the Official Code of Georgia Annotated, relating to general provisions relative to game and fish, so as to remove a prohibition on hunting on wildlife management areas; to change the date of effective rules and regulations of the Board of Natural Resources; to amend Part 1 of Article 1 of Chapter 3 of Title 27 of the Official Code of Georgia Annotated, relating to general provisions relative to hunting, so as to provide for regulation of hunting with air guns of not less than 0.30 caliber; to modify seasons and bag limits for deer, opossum, and raccoon; to provide for the legalization of the use of silencers and suppressors for hunting in certain circumstances; to modify certain prohibitions relating to restrictions on hunting feral hogs; to amend various provisions of the Official Code of Georgia Annotated, so as to make conforming changes; to amend Article 3 of Chapter 3 of Title 50 of the Official Code of Georgia Annotated, relating to state symbols, so as to designate the shoal bass as the official Georgia state native riverine sport fish; to provide for legislative findings; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Chapter 1 of Title 27 of the Official Code of Georgia Annotated, relating to general provisions relative to game and fish, is amended in Code Section 27-1-33, relating to noncompliance with laws while on fishing area, fish hatchery, natural area, or wildlife management area, hunting without wildlife management area license, and acts constituting criminal trespass, by revising subsection (a) as follows:

"(a) It shall be unlawful to enter upon or to hunt, trap, or fish on any public fishing area, fish hatchery, or natural area, or wildlife management area owned or operated by the department except in compliance with all applicable laws and all rules and regulations promulgated by the board, including, but not limited to, any law, rule, or regulation relating to seasons or bag limits or requiring a special permit. ~~Further, it shall be unlawful for any~~

~~person except those specifically excluded by law to hunt on a wildlife management area without a valid wildlife management area license as authorized by Code Section 27-2-23."~~

## SECTION 2.

Said chapter is further amended by revising Code Section 27-1-39, relating to rules and regulations used to establish criminal violations, as follows:

"27-1-39.

Notwithstanding any other law to the contrary, for purposes of establishing criminal violations of the rules and regulations promulgated by the Board of Natural Resources as provided in this title, the term 'rules and regulations' means those rules and regulations of the Board of Natural Resources in force and effect on January 1, 2016 2019."

## SECTION 3.

Part 1 of Article 1 of Chapter 3 of Title 27 of the Official Code of Georgia Annotated, relating to general provisions relative to hunting, is amended in Code Section 27-3-4, relating to legal weapons for hunting wildlife generally, prohibition of use of silencers and suppressors, and penalty for violations, by revising paragraphs (8) and (9) of and adding a new paragraph to subsection (a) as follows:

"(8) There are no firearms restrictions for taking nongame animals, nongame birds, or feral hogs; and

~~(9) The use of silencers or suppressors for hunting within this state is prohibited; provided, however, that a silencer or suppressor may be used for hunting on the private property of the person using such silencer or suppressor, on private property for which the owner of such property has provided verifiable permission to the person using such silencer or suppressor, and on public lands in areas designated by the department.~~

(9) For purposes of this paragraph, the term 'air gun' means any pistol, handgun, or shoulder-held device, each of not less than 0.30 caliber, or air bow that propels a projectile in the form of a slug, shot, or arrow equipped with a broadhead utilizing unignited compressed air or gas. Air guns are legal weapons for hunting big game only during primitive weapon hunts, primitive weapon seasons, and firearm seasons. This paragraph shall stand repealed effective July 1, 2024, unless continued in effect by the General Assembly prior to that date. At its 2024 regular session, the General Assembly shall review this paragraph to determine whether it should be continued in effect."

**SECTION 4.**

Said part is further amended in Code Section 27-3-15, relating to hunting seasons and bag limits, promulgation of rules and regulations by board, possession of more than the bag limit, and reporting number of deer killed, by revising subsections (a) and (b) as follows:

"(a) It shall be unlawful to hunt the following game species at any time during the periods set forth below:

<u>Game Species</u>	<u>Closed Season</u>
(1) Quail	March 16 — Oct. 31
(2) Grouse	March 1 — Oct. 14
(3) Turkey	
(A) Gobblers	May 22 — March 14
(B) Hens	All year
(4) Deer	Jan. 16 — Sept. 7; except that <del>the</del> <del>closed season may be Feb. 1 -</del> <del>Sept. 7 in those counties specified as</del> <del>having an extended archery-only</del> <del>open season in paragraph (4) of</del> <del>subsection (b) of this Code section</del> <del>as may be appropriate, and based</del> <del>solely on sound wildlife</del> <del>management principles, the</del> <del>department may by rule extend the</del> <del>season by region, by county, or</del> <del>locale to Jan. 31 for archery only.</del>
(5) Bobcat	March 1 — Oct. 14
(6) Opossum	March 1 — Oct. 14, <del>for that area</del> <del>north of and including Haralson,</del> <del>Paulding, Bartow, Cherokee,</del> <del>Forsyth, Hall, Banks, Franklin, and</del> <del>Hart counties</del>
(7) Rabbit	March 1 — Oct. 31
(8) Raccoon	March 1 — Oct. 14, <del>for that area</del> <del>north of and including Carroll,</del> <del>Fulton, Gwinnett, Barrow, Clarke,</del> <del>Oglethorpe, Taliaferro, Wilkes, and</del> <del>Lincoln counties</del>

- 94
- (9) Squirrel
- March 1 — August 14
- 95
- (10) Bear
- Jan. 16 — Sept. 7
- 96
- (11) Sea turtles and their eggs
- All year
- 97
- (12) Cougar (~~Felis~~ Puma concolor )
- All year
- 98
- (13) Alligators
- Nov. 1 — March 31
- 99
- (14) Migratory game birds
- March 11 — August 31

100

(b) It shall be unlawful to hunt the following game species at any time during the period

101

set forth below, except that it shall not be unlawful to hunt the following game species

102

during such periods or portions thereof, and in such number not to exceed the following

103

numbers, as may be designated by the board as open seasons and bag limits for such

104

species:

	<u>Game Species</u>	<u>Maximum Open Season</u>	<u>Maximum Bag Limits</u>	
			<u>Daily</u>	<u>Season</u>
107	(1) Quail	Nov. 1 — March 15	12	No limit
108	(2) Grouse	Oct. 15 — Feb. 29	3	No limit
109	(3) Turkey	March 15 — May 21	3	3
110	gobblers			
111	(4) Deer	Sept. 8 — Jan. 15; except that <del>there may</del>	<u>12</u>	<u>12</u>
112		<del>be also an extended archery-only open</del>	<del>The daily limit shall be ten antlerless deer and two antlered bucks. The season limit shall be ten antlerless deer and two antlered bucks. Only one antlered buck may have less than four points one inch or longer on one side of the antlers.</del>	
113		<del>season Jan. 1 — Jan. 31 in the counties</del>		
114		<del>of Clayton, Cobb, DeKalb, Forsyth,</del>		
115		<del>Fulton, Gwinnett, and Rockdale due to</del>		
116		<del>the extra need for herd reduction in that</del>		
117		<del>urban and suburban area of the state as</del>		
118		<del>may be appropriate and based solely on</del>		
119		<u>sound wildlife management principles,</u>		
120		<u>the department may by rule extend the</u>		
121		<u>season by region, by county, or locale to</u>		
122		<u>Jan. 31 for archery only</u>		

123			<del>Up to two deer per</del>	
124			<del>managed hunt may be</del>	
125			<del>allowed on wildlife</del>	
126			<del>management areas</del>	
127			<del>without complying</del>	
128			<del>with the state-wide bag</del>	
129			<del>limit.</del>	
130			<u>The department may</u>	
131			<u>by rule exempt deer</u>	
132			<u>taken on department</u>	
133			<u>managed lands from</u>	
134			<u>the state-wide bag</u>	
135			<u>limit.</u>	
136	(5) Bobcat	Oct. 15 — Feb. 29	No limit	No limit
137	(6) Opossum	<del>(A) Oct. 15 — Feb. 29, for that area</del>	No limit	No limit
138		<del>north of and including Haralson,</del>		
139		<del>Paulding, Bartow, Cherokee, Forsyth,</del>		
140		<del>Hall, Banks, Franklin, and Hart counties;</del>		
141		<del>and</del>		
142		<del>(B) Jan. 1 — Dec. 31 for the</del>	No limit	No limit
143		<del>remainder of the state</del>		
144	(7) Rabbit	Nov. 1 — Feb. 29	12	No limit
145	(8) Raccoon	<del>(A) Oct. 15 — Feb. 29, for that area</del>	No limit	No limit
146		<del>north of and including Carroll, Fulton,</del>		
147		<del>Gwinnett, Barrow, Clarke, Oglethorpe,</del>		
148		<del>Taliaferro, Wilkes, and Lincoln counties;</del>		
149		<del>and</del>		
150		<del>(B) Jan. 1 — Dec. 31 for the</del>	No limit	No limit
151		<del>remainder of the state</del>		
152	(9) Squirrel	Aug. 15 — Feb. 29	12	No limit
153	(10) Fox	Jan. 1 — Dec. 31	No limit	No limit
154	(11) Migratory	Sept. 1 — March 10	Subject to limits set	
155	game		by the federal	
156	birds		government and	
157			adopted by the board	

158	(12) Bear	Sept. 8 — Jan. 15	2	2
159			<u>The department may by</u>	
160			<u>rule exempt bear taken</u>	
161			<u>on department managed</u>	
162			<u>lands from the</u>	
163			<u>state-wide bag limit.</u>	
164	(13) Alligators	April 1 — Oct. 31	Subject to limits	
165			adopted by the board"	

166 **SECTION 5.**

167 Said part is further amended in Code Section 27-3-4, relating to legal weapons for hunting  
 168 wildlife generally, use of silencers and suppressors prohibited, and penalty for violations, by  
 169 revising subsection (b) as follows:

170 ~~"(b)(1) It shall be illegal to use a silencer or suppressor for hunting in violation of~~  
 171 ~~paragraph (9) of subsection (a) of this Code section. A person who violates the provisions~~  
 172 ~~of this paragraph shall be guilty of a misdemeanor.~~

173 (2) The hunting privileges of any person who has been convicted of violating the  
 174 provisions of this title or any rule or regulation promulgated pursuant thereto by hunting  
 175 without landowner permission, hunting in an area that is closed for hunting, or hunting  
 176 big game out of season ~~or at night with a firearm equipped with a suppressor~~ shall be  
 177 suspended for three years."

178 **SECTION 6.**

179 Said part is further amended in Code Section 27-3-24, relating to restrictions on hunting feral  
 180 hogs, by revising subsection (a.2) as follows:

181 ~~"(a.2) It shall be unlawful for~~ Nothing in this Code section shall prohibit any person to  
 182 ~~place, expose, deposit, distribute, or scatter~~ from placing, exposing, depositing,  
 183 distributing, or scattering any corn, wheat, or other grains, salts, apples, or other feed or  
 184 bait so as to constitute a lure, attraction, or enticement for feral hogs ~~within 50 yards of~~  
 185 ~~any property ownership boundary; provided, however, that any such lure, attraction, or~~  
 186 enticement shall not be placed, exposed, deposited, distributed, or scattered so as to cause  
 187 hunting any species of wildlife on any adjoining property to be prohibited under this  
 188 Code section."

**SECTION 7.**

The Official Code of Georgia Annotated is amended by replacing "conservation ranger" with "game warden" and "conservation rangers" with "game wardens" wherever the former terms occur in:

- (1) Code Section 12-5-289, relating to inspection of marshlands;
- (2) Code Section 16-10-24, relating to obstructing or hindering law enforcement officers and penalties;
- (3) Code Section 16-11-129, relating to weapons carry license, gun safety information, temporary renewal permit, mandamus, and verification of license;
- (4) Code Section 27-1-6, relating to powers and duties of the Department of Natural Resources generally;
- (5) Code Section 27-1-16, relating to establishment of a unit for conservation rangers, qualifications, appointment, and supervisory personnel, and retention of badge and weapon upon disability retirement;
- (6) Code Section 27-1-17, relating to deputy conservation rangers;
- (7) Code Section 27-1-18, relating to powers of conservation rangers generally;
- (8) Code Section 27-1-19, relating to power of conservation rangers and deputy conservation rangers to arrest persons and procedure upon failure of person arrested to appear to answer charges;
- (9) Code Section 27-1-20, relating to additional powers of conservation rangers and functions of other agencies assigned to department;
- (10) Code Section 27-1-21, relating to seizure of disposal of wildlife illegally taken or possessed, civil action by possessor, disposal of wildlife unable to be stored, and disposition of unmarketable items;
- (11) Code Section 27-1-24, relating to inspection of vessels and boats;
- (12) Code Section 27-1-25, relating to interference with arrest or performance of ranger's duties;
- (13) Code Section 27-2-5, relating to required hunter education courses;
- (14) Code Section 27-2-28, relating to refusing inspection of identification or license, making false statements in obtaining a license or permit, counterfeiting or alteration, and unlawful collection of funds;
- (15) Code Section 27-3-9, relating to unlawful enticement of game;
- (16) Code Section 27-3-49, relating to killing of dogs running deer;
- (17) Code Section 27-3-63, relating to general offenses and penalties;
- (18) Code Section 27-3-68, relating to confiscation and disposal of unlawful devices;
- (19) Code Section 27-3-71, relating to reports and records of fur dealers and inspection of premises;

- 226 (20) Code Section 27-3-92, relating to transportation of wildlife out of state;  
227 (21) Code Section 27-4-2, relating to fishing in waters or from lands of another without  
228 permission and obstruction or interference with rights of others;  
229 (22) Code Section 27-4-5, relating to methods for taking fish generally;  
230 (23) Code Section 27-4-7, relating to use of gill nets and seizure of illegal nets;  
231 (24) Code Section 27-4-76, relating to licensing of wholesale and retail fish dealers and sale,  
232 transportation into state, or possession of live fish and fish eggs;  
233 (25) Code Section 27-4-92, relating to lawful baskets;  
234 (26) Code Section 27-4-150, relating to taking, possessing, and dealing in crabs and peelers  
235 and required records;  
236 (27) Code Section 27-4-151, relating to use of crab traps, identification of boats or vessels,  
237 and closure of salt waters authorized;  
238 (28) Code Section 27-4-199, relating to evidence of intent to use as food and inspection of  
239 businesses;  
240 (29) Code Section 35-4-2, relating to definitions relative to the Georgia Police Academy;  
241 (30) Code Section 42-8-60, relating to probation prior to adjudication of guilt, violation of  
242 probation, and review of criminal record by judge;  
243 (31) Code Section 47-2-110, relating to retirement ages, application and eligibility for a  
244 retirement allowance, suspension of retirement allowance upon reemployment, and health  
245 benefits;  
246 (32) Code Section 47-2-111, relating to persons eligible to retire at age 55;  
247 (33) Code Section 47-2-221, relating to disability allowances payable to personnel for  
248 certain disabilities arising in the line of duty;  
249 (34) Code Section 47-2-226, relating to certain law enforcement officers permitted to obtain  
250 creditable service in retirement system under certain conditions, "law enforcement officer"  
251 defined, and payment of full actuarial value to applicant; and  
252 (35) Code Section 52-7-25, relating to enforcement of general provisions regarding  
253 watercraft.

254 **SECTION 8.**

255 The Georgia General Assembly finds that:

- 256 (1) The shoal bass has unique sporting qualities; occurs in abundance in the Flint,  
257 Chattahoochee, and Ocmulgee rivers; and is dependent upon clean, flowing water;  
258 (2) This unique native riverine sport fish moves dozens, and at times hundreds, of miles  
259 to complete its spawning and other life stages and is therefore dependent upon long,  
260 unobstructed segments of Georgia's rivers, in addition to high-quality shoal habitats;



261 (3) Both the hard rock formations of Georgia's piedmont region and the lime rock  
262 formations of Georgia's coastal plain are important to this unique native riverine sport  
263 fish, and important fishing and tourist economies are structured around this creature; and  
264 (4) Georgia fishing has long been a tourism generator and internal economic engine. In  
265 recent decades, Georgia's reputation for flowing water fishing has grown in national and  
266 international recognition, and shoal bass are at the center of this burgeoning revenue  
267 stream.

268 **SECTION 9.**

269 Article 3 of Chapter 3 of Title 50 of the Official Code of Georgia Annotated, relating to state  
270 symbols, is amended by adding a new Code section to read as follows:

271 "50-3-89.

272 The shoal bass (*Micropterus cataractae*) is designated as the official Georgia state native  
273 riverine sport fish."

274 **SECTION 10.**

275 All laws and parts of laws in conflict with this Act are repealed.